

Memorandum

To : All Standards Board Members

Date : February 24, 2005

From : Occupational Safety and Health Standards Board
Michael J. Manieri Jr., Principal Engineer - Standards

Subject : Fire Protection in Shipyard Employment

At the February 17, 2005, Public Hearing, the Occupational Safety and Health Standards Board considered revisions to California Code of Regulations, Title 8, Chapter 7, Subchapter 18, Article 3, Section 8354 and Article 8, Sections 8397, 8397.10, 8397.11, 8397.12, and 8397.13 of the Ship Building, Ship Repairing and Ship Breaking Safety Orders. These standards are substantially the same as the federal counterpart requirements.

Labor Code Section 142.3(a)(3) exempts the Standards Board from providing a comment period when adopting a standard substantially the same as the federal standard. However, as indicated in the Notice and Informative Digest, the Standards Board still provided a comment period for the purpose of identifying only issues related to the following three areas: 1) any clear and compelling reasons for California to deviate from the federal standards; 2) any issues unique to California related to this proposal which should be addressed in this rulemaking and/or subsequent rulemaking; and, 3) solicit comments on the proposed effective date.

There were no oral or written comments received and there were no changes made to the original proposal.

SUMMARY OF ORAL AND WRITTEN COMMENTS

No written or oral comments were received.

DETERMINATION OF MANDATE

These standards do not impose a mandate on local agencies or school districts as indicated in the Staff Development Memorandum.